## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CAROLINE D. ALFORD, Plaintiff,	) )
v.	) Civil Action No. 1:06CV00
JO ANNE B. BARNHART Commissioner of Social Security, Defendant	) ) )



## **CONSENT ORDER**

The defendant, Jo Anne B. Barnhart, Commissioner of Social Security, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing her decision with a remand of the cause for further administrative proceedings. Plaintiff consents to this motion. On remand to the Commissioner, the Administrative Law Judge (ALJ) will give further consideration to Plaintiff's impairments and assess the severity of each based on the evidence of record, including the state agency assessments. The ALJ will reassess Plaintiff's residual functional capacity (RFC) based on the record, including the state agency assessments and other medical source opinions. In assessing RFC, the ALJ will provide a function-by-function assessment of Plaintiff's individual mental and physical limitations and an appropriate rationale. In doing so, the ALJ will express all limitations in vocationally relevant terms and, as necessary, will define any terms used to describe such limitations. The ALJ will proceed through the sequential evaluation process, obtaining vocational expert testimony if necessary and ensuring that any vocational expert testimony relied upon is based on a hypothetical that accurately sets forth all of the limitations ultimately assessed.

Pursuant to the power of this Court to enter a judgment reversing the Commissioner's

decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the parties' request to remand this action for further proceedings, this Court hereby

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. See Melkonyan v. Sullivan, 501 U.S. 89 (1991).

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Consented to:

ANNA MILLS WAGONER United States Attorney

Lawrence Wittenberg

Attorney for Plaintiff

Assistant U.S. Attorney